

**204 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-2302 of 2015

Date of decision: 09.03.2015

Ajay Kumar and anr.

....Petitioners

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Mohit Garg, Advocate
for the petitioners.

Mr. Charanjit Singh Bakshi, Addl. A.G., Haryana
for the respondent-State.

Mr. Robin Lohan, Advocate
for the complainant.

Jaspal Singh, J.(Oral)

This petition has been preferred under Section 438 of Code of Criminal Procedure seeking pre-arrest bail in case FIR No.231 dated 13.11.2014 under Sections 323, 354 A, 342, 376, 511 and 506 read with Section 34 of IPC registered at Police Station Uklana Tehsil Uklana, District Hisar.

It is an undisputed fact that FIR was registered under Sections 323, 354 A, 342 read with Section 34 of IPC. The petitioners were arrested and granted the concession of bail vide order dated November 22, 2014. Subsequently, on the basis of

supplementary statement got recorded by the complainant on November 27, 2014, offence under Sections 506, 376 and 511 IPC were added which necessitated the filing of the petition under Section 438 of Cr.P.C.

The petitioners have admittedly joined the investigation on January 25, 2015, in compliance of the order passed by this Court dated January 22, 2015 and on the basis of the instructions received from the Investigating Officer, the learned State counsel has submitted that the petitioners are not more required for further investigation.

Taking into consideration the aforesaid aspects of the case, this Court deems it a fit case to exercise the discretion envisaged under Section 438 of the Cr.P.C.

Accordingly, petition is allowed and the order dated *January 22, 2015* is hereby made absolute subject to the conditions laid down under Section 438(2) of the Cr.P.C.

March 09, 2015
m. sharma

(JASPAL SINGH)
JUDGE